

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA	:	Hon. Leda D. Wettre
v.	:	Mag. No. 23-13147
RUSSELL LYNN DAVIS, JR.	:	ORDER FOR CONTINUANCE

1. This matter came before the Court on the joint application of Philip R. Sellinger, United States Attorney for the District of New Jersey (by Rachelle M. Navarro, Assistant United States Attorney, appearing), and defendant Russell Lynn Davis, Jr. (by Claressa Lowe, Esq., appearing), for an order granting a continuance under 18 U.S.C. § 3161(h)(7)(A) including and through April 1, 2024.

2. This Court granted two § 3161(h)(7)(A) continuances previously in this case.

3. Counsel for the parties represented that this additional continuance is necessary for effective preparation and to permit the parties to attempt to resolve this case prior to indictment and thereby avoid a trial.

4. Counsel for the United States also represented that this additional continuance is necessary to prevent any more non-excludable days under § 3161(h) from expiring.

5. The defendant knows that he has the right under § 3161(b) to have this matter submitted to a grand jury within thirty days after his arrest.

6. The defendant, through counsel, has consented to this continuance.

7. FOR GOOD CAUSE, THIS COURT FINDS that this case should be continued for the following reasons:

a. The charges in this case result from a lengthy investigation, and the pre-indictment discovery the United States will be voluntarily providing to the defendant involves sensitive content, which will take time for the defense to review;

b. The circumstances of this case, therefore, require giving defense counsel a reasonable amount of additional time for effective preparation;

c. Thus, the ends of justice served by granting the continuance and preventing any further non-excludable days from passing under § 3161(h) outweigh the best interest of the public and the defendant in a speedy trial.

IT IS, therefore:

ORDERED that this action is continued from the date this Order is signed through April 1, 2024; and it is further

ORDERED that those days are excluded in computing time under the Speedy Trial Act of 1974; and it is further

ORDERED that nothing in this Order or the application prompting it is a finding or representation that less than 31 non-excludable days under § 3161(h) have expired.




HON. LEDA D. WETTRE
United States Magistrate Judge

Dated: January 16, 2024

Form and entry consented to:

/s/ Claressa Lowe
Claressa Lowe, Esq.
Counsel for Defendant


Rachelle M. Navarro
Assistant United States Attorney

/s/ Michelle S. Gasparian
Michelle S. Gasparian
Chief, Organized Crime/Gangs Unit